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Nationality of the Democratic party, and its importance to the Union.
Speech by Hon Elijah Ward.

Class F685

Book W25

SPEECH

OF

HON. ELIJAH WARD, OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES, MARCH 31, 1858.

The House being in the Committee of the Whole on the state of the Union—

Mr. WARD said:

Mr. CHAIRMAN: The subject of admitting Kansas as a State under the Lecompton constitution has been so fully and ably discussed by the distinguished members of this honorable body that no new view can be presented of the immediate issue. It has occupied the attention of Congress until, I am sure, the whole country must be wearied of the discussion. It is a matter of deep regret that so large a portion of the time of this Congress has been thus absorbed. The nation has just passed through one of those periodical financial convulsions which occur from the inflated issue of bank paper, overtrading and speculation, leaving thousands in hopeless bankruptcy—all branches of industry arrested and commerce paralyzed; and yet nearly four months of the session gone and not one effort made, one word of hope or consolation uttered, or any measure of relief brought forward in Congress that exhibits an interest, or sympathy even, with those upon whom calamity has fallen so heavily. A sectional and political excitement has been engendered, which, while it may not precipitate a dissolution of the Union, weakens that bond of fraternal intercourse which should always exist between different sections of our common country. My position was early taken from a deep conviction of duty to the nation and my party; my constituents have left me free to take such a course as my judgment dictated; and whether it meets with their approbation or not, I know they will accord to me an honesty of intention and a rectitude of purpose. While my own immediate constituents have concided in my judgment, I have not been unmindful that the united Democracy of the city of New York, of which my district is a part, and the local organizations, have cordially approved of the action of their Representatives that sustain the admission of Kansas under the Lecompton constitution; that the Democratic press, the Democratic members of the Legislature, and the leading men of the party present an unbroken front in support of the Administration, and exhibit a unity of action that has not been witnessed in our State for many years upon a prominent public question.

In addition to this concentration of public opinion, I have not been insensible to other influences. The city of New York is the largest commercial city in the Union. In 1856–57, five eighths of the total imports into the United States were imported into that city; one third of the exports, one third of the domestic produce, and over one half of the foreign produce, were exported therefrom; and there were collected at the custom-house there within the same time forty-three and a half million dollars upon dutiable imports; its banking capital, exclusive of that of private bankers, in 1857, amounted to sixty-five and a half millions, and besides has millions invested in other corporations, and in domestic manufacture and trade. These, too, are but a part of the vast interests that center there. These sources of wealth, power, and greatness, cannot but suffer by the continued agitation of this Kansas question, ending as it may in disturbing the harmony of the Union, without resulting in any practical good to the persons the slavery agitators desire to benefit. It is not to be denied that we are a commercial people, and that to commerce we are indebted for our advancement, growth, and prosperity as a nation. The majestic vessels which carry our products to other climes, penetrating every sea-port, bear with them civilization, and instruct other nations that a power here exists that cannot be disregarded. The commercial prosperity of my city, the whole country, the onward progress of commerce, and the agricultural and the other departments of industry, I believe, are involved in the public questions which from time to time agitate the country. Impressed with the value and importance of the Union to my constituents, I find reasons in addition to party considerations for pursuing a course best calculated to end the present agitation, and restore once more amity and good feeling. No one who has observed closely the events in Kansas for the last few years can fail to trace to its proper source the present excitement, and perceive the urgent necessity of investing the people of that Territory with the rights of sovereignty, so that they may exercise the function of a State government, and relieve Congress from further inter-

ference. No analogy can be made between the grievances of the American colonies prior to the Revolution, as attempted by my colleague, [Mr. HASKIN,] and the alleged complaints of a part of the people in Kansas. In the former case, Great Britain persisted in controlling local affairs; and in the latter, Congress desires, in the most speedy way, to confer all power upon the citizens of that Territory to manage their own affairs in their own way, subject to the Constitution of the United States.

Mr. Chairman, from the course the debate has taken, an apprehension would prevail with those not cognizant of the facts that a foul and deep wrong was about to be perpetrated upon the people of Kansas: that the provisions of the Kansas-Nebraska act were to be violated, and the platform adopted at the Cincinnati convention relating to the question of slavery ignored. To demonstrate that this is mere clamor, it is proper that I should briefly refer to a few antecedent events. The act referred to, passed in 1854, has this provision:

"When admitted as a State, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission; it being the true intent and meaning of this act not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

The territorial government of Kansas was organized under the act containing this section. The resolutions of the Cincinnati convention, relating to slavery and territorial organization, were as follows:

"And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, North and South, to the Constitution and the Union—

"1. *Resolved*, That claiming fellowship with, and desiring the cooperation of, all who regard the preservation of the Union under the Constitution as the paramount issue—and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States and incite to treason and armed resistance to law in the Territories; and whose avowed purposes, if consummated, must end in civil war and disunion—the American Democracy recognize and adopt the principles contained in the organic laws establishing the Territories of Kansas and Nebraska, as embodying the only sound and safe solution of the slavery question upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—NON-INTERFERENCE BY CONGRESS WITH SLAVERY IN STATE AND TERRITORY, OR IN THE DISTRICT OF COLUMBIA.

"2. That this was the basis of the compromises of 1850, confirmed by both the Democratic and Whig parties in national conventions, ratified by the people in the election of 1852, and rightly applied to the organization of Territories in 1854.

"3. That by the uniform application of this Democratic principle to the organization of Territories, and to the admission of new States, with or without domestic slavery, as they may elect, the equal rights of all the States will be preserved intact, the original compacts of the Constitution maintained inviolate, and the perpetuity and expansion of this Union insured to its utmost capacity of embracing, in peace and harmony, every future American State that may be constituted or annexed with a republican form of government.

"*Resolved*, That we recognize the right of the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other States."

It will be observed that neither the act nor resolution contemplated that the constitution of Kansas should be submitted to the people. They intended, unquestionably, the people should have the power to "regulate their domestic institutions," but whether through a submission or convention was left undetermined. A sentiment and feeling, however, grew up during the canvass that the slavery clause should be submitted, and was acquiesced in, which would have been a full compliance with the act and the platform, leaving the constitution otherwise to be formed in such manner as the people judged best. I do not mention these facts as approbatory of non-submission, for I should have preferred that the whole constitution had been voted upon. But whether that could or could not have been done, rested with the people and the convention; such has been the uniform practice, I believe, relating to the territorial action for the admission of new States, except when controlled by legislative action. I mention this because my colleague [Mr. HASKIN] has sought to create the impression that the question of submission of the whole constitution entered into the last presidential campaign as a distinct issue. Whatever individuals may have done, I assert that it was not then made a part of the Democratic creed. In confirmation of this position I cite the following passage from the address of acting-Governor Stanton, under date of April 17, 1857:

"The government especially recognizes the territorial act which provides for assembling a convention to form a constitution with a view to making application to Congress for admission as a State into the Union. That act is regarded as presenting the only test of the qualification of voters for delegates to the convention, and all preceding repugnant restrictions are thereby repealed. In this light the act must be allowed to have provided for a full and fair expression of the will of the people, through the delegates who may be chosen to represent them in the constitutional convention. I do not doubt, however, that, in order to avoid all pretext for resistance to the peaceful operation of this law, *the convention itself will, in some form, provide for submitting the great distracting question regarding their social institution*, which has so long agitated the people of Kansas, to a fair vote of all the actual *bona fide* residents of the Territory, with every possible security against fraud and violence. If the constitution be thus framed, *and the question of difference thus submitted to the decision of the people*, I believe that Kansas will be admitted by Congress without delay as one of the sovereign States of the American Union, and the territorial authorities will be immediately withdrawn."

This question of submission has recently arisen, and has been seized upon since the commencement of this Congress, and made the basis for assailing the President of the United States for an honest and patriotic discharge of his high duties. The President, in his instructions to Governor Walker, neither intended nor expected that any other question than that of slavery was to be submitted. In his message transmitting the Lecompton constitution to Congress, he says:

"No person thought of any other question. For my own part, when I instructed Governor Walker, in general terms, in favor of submitting the constitution to the people, I had no object in view except the all absorbing question of slavery. In what manner the people of Kansas might regulate their other concerns, was not a subject which attracted my attention. In fact, the general provisions of our recent State constitutions, after an experience of eighty years, are so similar and so excellent that it would be difficult to go far wrong at the present day in framing a new constitution.

"I then believed, and still believe, that, under the organic act, the Kansas convention were bound to submit this all-

important question of slavery to the people. It was never, however, my opinion that, independently of this act, they would have been bound to submit any portion of the constitution to a popular vote, in order to give it validity. Had I entertained such an opinion, this would have been in opposition to many precedents in our history, commencing in the very best age of the Republic. It would have been in opposition to the principle which pervades our institutions, and which is every day carried out into practice, that the people have the right to delegate to representatives, chosen by themselves, their sovereign power to frame constitutions, enact laws, and perform many other important acts, without requiring that these should be subjected to their subsequent approbation. It would be a most inconvenient limitation of their own power, imposed by the people upon themselves, to exclude them from exercising their sovereignty in any lawful manner they think proper. It is true that the people of Kansas might, if they had pleased, have required the convention to submit the constitution to a popular vote; but this they have not done. The only remedy, therefore, in this case, is that which exists in all other similar cases. If the delegates who framed the Kansas constitution have in any manner violated the will of their constituents, the people always possess the power to change their constitution or their laws, according to their own pleasure."

The alleged grievance of the Republicans in Kansas, arising out of the non-submission, is not of such a character as would authorize us to reject the admission of Kansas as a State under the Lecompton constitution. They had an opportunity to vote for delegates to form the constitution, also, when that instrument was submitted with slavery or without slavery, and they refused to exercise the right. But it is urged that they could not vote for or against slavery without voting for the constitution. Admitting this, I would ask who is to blame? Surely those who abstained from exercising the right of popular sovereignty when the delegates were elected to the constitutional convention. Here is a willful determination, and repeated, not to take part in any proceeding which recognized the Territorial Legislature; and which omission, in my judgment, stops them from any claim upon, or right to, our sympathies. Governor Walker, in referring to the selection of delegates, distinctly warns them what would be the consequences if they should not participate in the election. He says:

"The people of Kansas, then, are invited by the highest authority known to the Constitution to participate freely and fairly in the election of delegates to frame a constitution and State government. The law has performed its entire appropriate function when it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Throughout our whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage authorize those who do vote to act for them in the contingency, and the absentees are as much bound under the law and constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as if all had participated in the election. Otherwise, as voting must be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative."

This is the true doctrine, and I have never heard it questioned. I firmly believe that, judging by the past acts of the Republicans of that Territory, if this constitution is sent back the same obstinacy and difficulty will exist. It was their deliberate intention that the constitution should be presented here with slavery to keep up that excitement, and to further aid and abet those who seek to break down the Democratic party, and this honorable body will fail to assert its rights and protect its dignity in permitting its attention longer to be occupied with this subject and these local contentions.

The motives and acts of the Republicans have been such as cannot be recognized without overturning all government, law, and order. The evidence is unquestioned and overwhelming, that they have been in a state of rebellion to the government since the meeting was convened on the 14th or 15th August, 1855, which resulted in the convention, held September 19th of that year, which framed the Topeka constitution, to be put in operation in subversion of the territorial government established under the authority of Congress. The organization under that instrument, the assembly of its Legislature, its acts, the presentation of that constitution to Congress, the passage of the bill admitting Kansas a State under it by the Republican members of the House of Representatives, and its rejection by the Senate, the creation of armed forces in Kansas to sustain this revolutionary movement, are now matters of history. These occurrences demonstrate the position I assume, and which is sustained by the President in his message, February 2, 1858:

"This government [territorial] would long since have been subverted had it not been protected from their assaults by the troops of the United States. Such has been the condition of affairs since my inauguration. Ever since that period, a large portion of the people of Kansas have been in a state of rebellion against the government, with a military leader at their head of a most turbulent and dangerous character. They have never acknowledged, but have constantly renounced and defied, the government to which they owe allegiance, and have been all the time in a state of resistance against its authority. They have all the time been endeavoring to subvert it, and to establish a revolutionary government, under the so-called Topeka constitution, in its stead. Even at this very moment the Topeka Legislature is in session."

Again he says:

"The truth is, that, up till the present moment, the enemies of the existing government still adhere to their Topeka revolutionary constitution and government. The very first paragraph of the message of Governor Robinson, dated the 7th of December, to the Topeka Legislature, now assembled at Lawrence, contains an open defiance of the Constitution and laws of the United States. The Governor says: 'The convention which framed the constitution at Topeka originated with the people of Kansas Territory. They have adopted and ratified the same twice by a direct vote, and also indirectly through two elections of State officers and members of the State Legislature; yet it has pleased the Administration to regard the whole proceeding revolutionary.'

"This Topeka government, adhered to with such treasonable pertinacity, is a government in direct opposition to the existing government prescribed and recognized by Congress. It is a usurpation of the same character as it would be for a portion of the people of any State of the Union to undertake to establish a separate government, within its limits, for the purpose of redressing any grievance, real or imaginary, of which they might complain, against the legitimate State government. Such a principle, if carried into execution, would destroy all lawful authority and produce universal anarchy."

In these revolutionary acts may be discerned the object of the Republicans, and that is, to agitate until the Topeka constitution is accepted. This cannot be done so long as Congress recognizes the legitimacy of territorial organization, and would be subversive of the fundamental principles of our Government. The question then arises, does the Lecompton constitution come to us in a legal form? The only mode in which a people of a Territory can form their constitution, or alter it when a State,

is through the Legislature. This is the proper manner of ascertaining the popular will. Applying this rule to Kansas, we find that the Kansas-Nebraska act left the "people of the Territory perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Acting upon the power thus conferred, proceedings were had authorizing the election of delegates to form a constitution. Such election was held; the convention assembled at Lecompton, adopted the constitution now presented to us for our action. I have already disposed of the objection that but a small part of the voters exercised their right. The question then arises, what can and should Congress do in the premises, and what power does it possess?

The Constitution provides that new States may be admitted by the Congress into this Union, and "the United States shall guaranty to every State in this Union a republican form of government." The Lecompton constitution is legally framed, presented, and is republican in form, and the Territory should be admitted at once as a State under the power thus conferred. It has been urged that even if a part of the people would not vote, they should still be protected against their own wrongful omission. I am free to say, Mr. Chairman, that I should feel reluctant to participate in any act that would inflict a wrong upon the citizens of Kansas, and would not do it knowingly. I would not vote for a measure that I believed would fasten upon them a permanent constitution that could not be altered or amended; but, sir, I can see no wrong in giving them a republican constitution, and conferring upon Kansas the powers of a sovereign State. I have examined the provisions of that constitution, and find it is as democratic as that of other States. The following liberal provision is in the bill of rights:

"All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit; and therefore *they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of government* in such manner as they may think proper."

This is a full reservation of power by the people, except so far as its exercise is restricted by the constitution. Taking the position I have, that an alteration of such an instrument can only be effected by legislative action, except in case of revolution, and believing, with the late lamented Webster, the great expounder of constitutional law, "that no single constitution has ever been gotten up by mass meetings," that "there must be some mode of ascertaining the public will, somehow and somewhere;" and, "if not, it is a government of the strongest and most numerous," I can only recognize the right of the people of Kansas to change their constitution in the manner prescribed thereby. If Kansas is admitted under the Lecompton constitution, can it be altered? and, if so, when? It provides for a change as follows:

"SEC. 14. After the year 1861, whenever the Legislature shall think it necessary to amend, alter, or change this constitution, they shall recommend to the electors at the next general election, two thirds of the members of each House concurring, to vote for or against calling a convention; and if it shall appear that a majority of all the citizens of the State have voted for a convention, the Legislature shall, at its next regular session, call a convention," &c.

It seems to me that this section (and I give it as my opinion only) takes effect *in futuro*, and that, until 1864, there is no restriction that can prevent a prior alteration. I shall not occupy the attention of the committee in elucidating this point—it has already been ably done, and especially by my friend the honorable member from Pennsylvania, [Mr. PHILLIPS.] I presume it will not be disputed that, if Congress or a State Legislature pass a law to take effect on and after such a day, (named,) or after such a time, it cannot take effect or become operative until the period designated has expired. The same rule would apply to a constitutional provision. The Topeka constitution has the following:

"SEC. 4. No convention for the formation of a new constitution shall be called, and no amendment to the constitution shall be, by the General Assembly, made, before the year 1865, nor more than once in five years thereafter."

This contained a restraint or restriction that would become immediately operative.

The State of New York illustrates, in her action, the effect of both provisions. The constitution of that State, of 1777, contained no provision for its amendment. The Legislature, in 1821, passed a law submitting to the people the propriety of amending the constitution. They responded in the affirmative. The convention which assembled, instead of amending the old one, framed a new constitution, which was accepted. The one thus formed contained a clause directing the mode of changing it. In 1846, contrary to the restriction, the people, through the Legislature, called another convention, and formed the existing constitution.

Mr. Chairman, no serious objections are urged, I believe, against any other part of this constitution except the slavery provision, or point raised except as to the provision relating to an amendment. It may be said to have been recognized in solemn form by the whole people of that Territory; for, after the constitution was framed, an election was ordered and held under its provisions for the election of State officers and the Legislature. In law this is an estoppel, and amounts to an assent.

Suppose, sir, that instrument could not be altered before 1864: what injury would result thereby to the party that desire it to be a free State? None. It is conceded that there are now in Kansas but about one hundred and sixty slaves. With a supposed free-State majority in the Territory, with climate and soil adverse to the permanent existence of slavery, I do not believe that southern gentlemen would desire to take their slaves there, so that the present number would not be greatly increased before the people could amend their constitution. The public welfare, the repose of the nation, and, indeed, every consideration that can influence the patriot and lover of his country, demand that this subject should be promptly dismissed from the Halls of Congress. Kansas admitted, and the people of the Territory will then adjust their own internal affairs, peace be restored, a more natural and healthful flow of immigration than that sent forward by the emigrant aid soci-

eties will occur, peaceful pursuits be cultivated, instead of threatened warlike amusements. If Kansas is not admitted, the excitement now pervading the country will be continued, the subject will again be presented at the next session of Congress, impeding all legislation, and perhaps to the following one; with each protraction the waves of angry and embittered feeling rolling higher and higher. It does not require a prophetic spirit to foretell the disastrous consequences that may ensue.

Mr. Chairman, political history presents curious phases. It shows the members of the Opposition party to have opposed all the leading measures of the Democratic party in times gone by, until public sentiment indicated their adoption as part of the public policy of the country, and, after being driven from point to point, they sought shelter under the slavery agitation, in which refuge they now remain, pressing it on regardless of consequences to the Union. In the last Congress they were the opponents of non-intervention, or popular sovereignty, and in favor of congressional interference, and opposed to an enabling act; now we find them in favor of an enabling act and in favor of popular sovereignty, and what the next phase will be to-morrow may determine; it is not unlikely that we may find them voting for the admission of a slave State. They have the warmest sympathy for "bleeding Kansas," and cry fraud! fraud! and charge high crimes upon the Democratic party; but they have none for the great city of New York, whose vested rights were ruthlessly invaded by a Republican Legislature, and stripped of many of its chartered privileges, to give spoils and patronage to their adherents. I have been taught to believe that "charity begins at home."

Another singular spectacle is presented: we find several honorable members, who fought side by side with us in the great political battle which resulted in the recognition of non-intervention in local affairs of Territories, recently voting for the appointment of a special committee to intervene in its worst form in the domestic affairs of a Territory. Among the latter I find my colleague, [Mr. HASKIN.] It was with feelings of regret and mortification that I heard him utter the following language:

"In arriving at the conclusion to vote against the admission of Kansas under the Lecompton constitution, I have been aided and influenced by a desire to faithfully represent the constituency which elected me, and to fulfill the pledges which I made them upon accepting my nomination. To them I am responsible for my course here; and being honestly convinced that my opposition to the admission of Kansas under the Lecompton constitution—repudiated and protested against, as it is, by at least three fourths of her people—meets with the approval of a large majority of my constituents, whose wishes I am in honor bound to obey, I shall vote against the admission of Kansas under the Lecompton constitution."

The honorable member represents the counties of Westchester, Rockland, and Putnam. I was born on the banks of the noble Hudson, in the county of Westchester; the traditions of home clustered around and have been identified with it for more than a century; my early life was spent in rambling among the rocks, hills, and dales of that beautiful region, until they became familiar as household words. It is classic ground, hallowed by the footsteps of the Father of his Country and his compeers; the scene of some of the most important events of the war of independence Revolutionary patriots now sleep the sleep of death beneath its green sod; and there rest, too, the remains of Paulding, (and his associates,) the capturer of André, whose last request to his medical attendant was, "Please tell all those who ask after me that I die a true Democratic Republican," and whose descendant my colleague so recently defended on this floor. Surrounded by such association, the Democracy of that section cannot, will not, falter in a crisis like this; and I am justified in saying that my colleague does not represent the wishes of the constituents that honored him with his election. Public meetings have been held in the several counties of the district, condemning his course, and the Democratic press is unanimous against it. My colleague will bear in mind that his predecessors, in 1854, voted against the Kansas-Nebraska bill in opposition to the wishes of his constituents. He boasted that he could be returned upon that vote; not being nominated, he ran, in 1856, as an independent candidate, and received so small a number of votes that I do not find his name mentioned in the official canvass. Whether my colleague is to share the same fate, remains to be seen. While I desire the honorable member shall take all the credit he is entitled to for his advocacy in times past of the principles of the national Democracy, I cannot perceive how it can justify his present course. Others before him have been distinguished for consistent political action, and yet by a single act have blighted the good effect of all their antecedents, and destroyed their political future. Without intending anything personal, but by way of illustration, I would say that Arnold was esteemed a true and loyal officer, and had done the State some service, until he committed treason against his country. Will it be urged that his treason was therefore justified?

I have heard much during this debate of "reading members out of the party." Sir, no formal *pronunciamiento* is required for that purpose. They are out by the operation of their own act; they are in the position of the soldier who, in the hour of battle, deserts to the enemy; the penalty follows. It is idle to suppose that, when gentlemen proclaim the result of their act will be to break down the national party, and elevate a sectional one with its attendant consequences, and are doing all they can to attain that object, they can remain, when the act is completed, in full communion with the party they seek to destroy. Their proper place is with the Opposition, and time will soon place them in that association. History is full of examples of conflicts between individuals and the party; but each instance has resulted in a signal failure of the assailant. The contest in such cases is as unequal as that between a mere guerilla band and a powerful and well-organized army. Men, as individuals, are apt to exaggerate their power when directed against organizations. In struggles with the Democratic party, men are but pigmies contending with giants. They may be compared to the fly on the wheel:

the fly is crushed, and the wheel rolls on. Whenever a great issue, as in the present case, arises, involving perhaps the very existence of the Union, it is the duty of every man having at heart the welfare of the nation to sustain the Administration in its patriotic course, and more especially those who hold their seats in this honorable body, and were elected upon the same platform with the present distinguished chief.

Sir, I entreat these anti-Lecompton Democrats to pause in the step they are about to take in the opposition. You concede the great purpose and mission of the national Democratic party; you concede it is the great bulwark that alone can arrest the ascendency of sectionalism; you concede that such a triumph may result in a separation of the States, bringing in its train calamities that may be conjectural but not foretold; and yet you stand ready to strike the parricidal blow. Should this measure be defeated by your votes, and the disaster flow from it which has been predicted, you cannot fail to be regarded hereafter as the parricides of the Republic.

Mr. Chairman, the northern national Democracy stands now, and will continue to stand hereafter, by the principles established by the Kansas-Nebraska act, and those enunciated at Cincinnati. We insist that the Territories, as well as States, have the sole right to determine their local and municipal matters, and that each should be let alone to manage them in their own way. This course must ultimately force the slavery agitation out of Congress, notwithstanding the embarrassment which has thus far attended the application of the principle to Kansas. The present difficulty has grown out of the premature immigration forced upon the Territory by slavery agitators, which went there, not to cultivate the soil, but to foster the excitement which has of late convulsed the whole country, and of which all, I believe, are heartily tired. This rule adopted will not produce like consequences again. There may be some struggle when a constitution with slavery is presented, but I believe public sentiment will determine that it shall be no bar to admission on that ground. Once firmly established and acted upon in good faith, slavery will be left to the law of climate and soil to control it. This law, which has been silently working since the adoption of the constitution, has caused the abolition of slavery in six of the original States, and either abolished or prohibited it in nine of the new States since admitted, and which has now brought to us two, if not more, free States for admission into the Union, thereby destroying the equilibrium between the slave and free States, imposes, in my judgment, a higher duty upon the national Democracy of the North than has hitherto existed, to see that the compromises of the Constitution are maintained, and the rights of the States secured. Its action in the past is a guarantee for the future. All that the southern States demand is to be allowed to control their own affairs, and equal rights with the other States. When a new State seeks admission, and its people desire slavery, Congress should not interpose objection, if the constitution is republican in form, but should at once admit it into the Union. The national Democracy are fully committed upon this point, and will redeem the pledge.

Mr. Chairman, my colleague, [Mr. HASKIN,] in his remarks, uses the following language:

"I honestly believe that, but for patronage, fast becoming the bane of the Republic, not ten Democratic members from the free States would be found supporting the Lecompton constitution as it has been presented to us."

I hold that no member of this honorable body should make even a vague charge of this grave character against his associates, even from belief, unless founded upon some fact. If the integrity and honor of any gentleman has yielded to the seductions of patronage and power, it is proper and due to the dignity of this honorable body that it should be known, and the person or persons named. I therefore call upon my colleague [Mr. HASKIN] to give this information, and the facts upon which his belief is founded; my respect for this honorable body forbids that I should characterize this charge in such terms as it deserves. I await his response: I can make great allowance for excitement incident to debate. The remarks of my colleague, however, having been prepared in advance, and read from a printed copy, indicate premeditation and deliberation. While my colleague makes an assault on the one side, the honorable member from Illinois, [Mr. MORRIS,] in saying that the "northern men who vote for the admission of Kansas under the Lecompton constitution are going to their political graves," (I do not quote the exact language, not having his remarks before me,) pays us a high compliment, for which, as one, I thank him. It shows his conviction that we have been guided by higher motives than selfish considerations.

Sir, I have heard it stated on this floor, and held *in terrorem* over the northern Lecompton members, that the Kansas-Nebraska act republicanized the last Congress. Without desiring to refer in detail, I desire to state a fact not generally understood. The whole country has been made aware long since of the division in the Democratic party of the State of New York from 1853 to 1856. It is to be deplored, but nevertheless true, that had the Hard and Soft vote been united upon single candidates in 1854, it would have secured eleven more members in the last Congress—seven by a majority vote, and four by a plurality—making a total of fifteen, and given to the Democratic party in Congress a decided majority. I may also say that the twelve Democratic members from that State in the present Congress were returned upon the principle contained in the Kansas-Nebraska act.

In times gone by, the parties in this country were divided into the Democratic and Whig party. Many glorious battles were fought between them, and many brilliant and gallant contests were had by the rival leaders upon this floor upon the great questions which, from time to time, have agitated the country. As participants in these intellectual encounters, the names of Calhoun, Clay, Webster, Benton, and a host of others, now occur to me. In all the giant efforts of these statesmen—amid all the heat, zeal, and bitterness of debate and party warfare—there was one common bond between them, and that was the love of the Union.

The Whig party was national—it was glorious to battle with it—it was "a foe worthy of our steel." In its triumphs, however much we might differ from its policy, the country rested secure upon its nationality. The great issues between them were decided by the people in favor of the Democratic party, and the contentions ceased. The great leaders of the Whig party, Clay and Webster, having lived the period allotted to man, and devoted their whole lives, from their manhood to their graves, to the service of their country, full of honors, passed away to the silent tomb, amid grieved hearts, bearing to their eternal home the affection and veneration of their fellow-countrymen. The Whig party ceased to exist, and the Opposition party were without a leading principle. The slavery agitation, which had for a long time been seen but dimly in the distance, now culminated in the Republican party, and a bitter, sectional, and fanatical contest ensued. In this struggle the national Democratic party—lifting itself up to its giant proportions, reinforced by a part of the national portion of the Whig party, several of whom, I am proud to say, are now upon this floor coöperating with us, met the enemy and triumphed. Though defeated, they were not conquered; and the war is being waged.

No intelligent person can be so blind as not to see, in the success of a northern sectional party arrayed against the constitutional rights of the South, that a counter-geographical party must arise. When this occurs, it is easy to foretell the consequences. I shall not dwell upon it. In this crisis we can only look to the Democratic party in the future; it occupies a broad, national platform, and guards scrupulously the rights of all sections. I believe in its invincibility and in its great destiny; its nationality will preserve it; the people must see the consequences of its defeat: and I feel a deep conviction that when the hour of trial comes, all classes will rally to its support as the only means of preserving the Union, which they are taught to love and cherish from early childhood. I love my whole country; it is with regret that I see contrasts presented, attempting to show the greater prosperity of one section or class over another. We are one aggregated whole—what adds to one part strengthens the other. Our power and greatness as a nation result from combination, and from that alone must it increase and be carried on in the fulfillment of its great future.

This protracted struggle is drawing to a close: the President of the United States has taken his position firmly, and it is our grave and solemn duty to sustain him. I have taken mine, whatever may be the individual consequence, and can say, in the language of the lamented President Jackson, when standing over the rocks of the Rip Raps, looking upon the ocean, when friends were deserting him by legions in consequence of his firm course upon the public measures of his day: "Providence may change my determination; but man can no more do it than he can remove these Rip Raps, which have resisted the rolling ocean from the beginning of time."

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